

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARY LOU FIENI,	:	
Plaintiff,	:	
	:	CIVIL ACTION
v.	:	NO. 09-5587
	:	
FRANCISCAN CARE CENTER,	:	
Defendant.	:	

ORDER

AND NOW, this 30th day of September 2011, upon consideration of Defendant Franciscan Care Center's Motion for Summary Judgment [Doc. No. 11], and all related briefing in opposition to and in support of that motion, and for the reasons set forth in the accompanying Memorandum Opinion, it is hereby **ORDERED** that Defendant's Motion is **GRANTED in part and DENIED in part**, as follows:

1. Defendant's Motion for Summary Judgment is **GRANTED** as to Count One of Plaintiff's Complaint, and as to Plaintiff's retaliation claims in Count Two.

2. Defendant's Motion for Summary Judgment is **DENIED** as to Plaintiff's disability discrimination claims in Count Two.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

Hon. CYNTHIA M. RUFE
United States District Judge